REMARKS

This Response is submitted in reply to the Office Action of August 30, 2007, and in accordance with the telephone interview courteously granted to Applicant's representatives on January 15, 2008. Claims 1, 17, 30, and 43 have been amended. No new matter has been introduced by these amendments.

A Petition for a two-month extension of time and a Supplemental Information Disclosure Statement are submitted herewith. Please charge deposit account number 02-1818 to cover the cost of the two-month extension of time, the Supplemental Information Disclosure Statement, and any other fees due in connection with this Response.

The Office Action rejected Claims 1 to 7, 9 to 14, 16 to 21, 23 to 28, 30 to 33, 35 to 40, 42 to 47, and 49 to 54 under 35 U.S.C. § 103(a) as being unpatentable over GB 2353128A to Claypole ("Claypole") in view of U.S. Patent no. 6,843,721 to Vancura ("Vancura").

Applicant respectfully disagrees with these rejections. Applicant has amended certain of the claims to clarify the existing claim elements as discussed during the interview.

Claypole discloses a gaming device which includes three reels, each of the reels having a plurality of symbols. The reels are associated with three paylines. Some of the symbols on the reels are associated with one or more points which move an indicator along three separate trails. Each payline contributes points to a respective one of the trails. After the reels spin and display symbols along the paylines, if a winning combination of symbols is displayed on any of the paylines, the gaming device awards the player a prize associated with the combination of symbols indicated on the payline. In addition, any points associated with the symbols displayed on a payline contribute to moving the indicator along the trail associated with that payline. Claypole further includes a nudge feature. The nudge feature enables the player to move symbols from one payline to another payline. For example, a player may choose to contribute points to advance up a first trail instead of a second trail in order to

get to a specific prize on the first trail. In this manner, the player controls advancement along each of the trails by tactically choosing to nudge symbols into different contributing positions.

In one embodiment of Claypole, the gaming device includes a top game in which an indicator moves around a track in attempt to win points to advance along the trails. The track includes a plurality of positions, each of the positions associated with an outcome. The player presses a "gamble" button to move the indicator around the track. Each time the player presses the gamble button, the indicator can land on different possible outcomes, including: (1) positive outcomes, which cause the player to win points for further advancement along one or more of the trails; (2) bonus outcomes, which enable the player to play a bonus game; and (3) negative or lose outcomes, which cause the player to lose all of the points that have been accumulated along one or more of the trails. For example, if the player presses the gamble button and the indicator lands on a track position labeled with word "lose," the player loses all of the points that have been accumulated along each of the trails. The player may decide at any time to stop pressing the gamble button (i.e., stop moving around the track). If the player decides to stop gambling, the player presses the "collect" button to cash out, and the gaming provides any accumulated awards to the player.

Vancura discloses a method of playing a casino game by offering a player a plurality of objects, each of which has a probability of success and associated award. The player chooses an object and receives the associated award when the chosen object is successful. The player continues to chose objects until the casino game ends. The game may end randomly after each object is chosen, upon all chosen objects resulting in success, or upon the player choosing a fixed number of objects.

Page 3 of the Office Action acknowledges that Claypole is silent regarding how the game ends. The Office Action further states that Vancura discloses a method for playing a casino game that ends randomly after each player choice of an object. The Office Action concludes that it would have been obvious to

incorporate this feature of Vancura into the Claypole game to further increase the strategic difficulty of the game.

Regardless of whether it would have obvious to modify Claypole to include randomly determining when to end the game, as taught by Vancura, the gaming device resulting from the proposed combination would not achieve the gaming device of amended independent Claim 1. More specifically, the gaming device resulting from the combination of Claypole and Vancura would not include a single play of a game provided after a single wager by a player, where for the single play of the game, a processor is programmed to: (1) cause the indicator generator to generate and associate a number of indicators with each of the award groups; for each of the award groups, (2) accumulate a quantity of indicators corresponding to the number of indicators that is associated with that award group by the indicator generator, (3) repeat steps (1) and (2) until all of the indicators have been accumulated in at least one of the award groups, (4) when all of the indicators have been accumulated in at least one of the award groups, randomly determine when to end the end the single play of the game, and (5) if it is determined not to end the single play of the game, reset the indicators in the award groups associated with the awards provided to the player.

As discussed during the interview, in Claypole, the player attempts to accumulate all of the positions in one or more trails over a plurality of plays of the game or spins of the reels. Each time a player spins the reels, the player must place a wager. After each reel spin, if any symbols associated with trail points are indicated on the reels, the gaming device enables the player to use those trail points to advance along one or more of the trails. In this manner, Claypole provides a persistence type game, in which a player progresses along the trails over a plurality of plays of the game or spins of the reels. Since the player must make a wager each time the player wishes to spin the reels, it could require several reel spins (i.e., plays of the game) and thus several wagers for the player to accumulate enough positions in one or more of the trails to win the award(s) associated with the trails.

In the gaming device of amended independent Claim 1, on the other hand, the processor is programmed, for a single play of the game, to: (1) cause the indicator generator to generate and associate a number of indicators with each of the award groups; (2) for each of the award groups, accumulate a quantity of indicators corresponding to the number of indicators that is associated with that award group by the indicator generator; and (3) repeat steps (1) and (2) until all of the indicators have been accumulated in at least one of the award groups; (4) when all of the indicators have been accumulated in at least one of the award groups, randomly determine when to end the single play of the game; and (5) if it is determined not to end the single play of the game, reset the indicators in the award groups associated with the awards provided to the player. Therefore, in the same play of the game and without requiring an additional wager by the player, the processor continues accumulating indicators in the award groups until all of the indicators have been accumulated in at least one of the award groups.

On Page 3 of the Office Action, the Office Action further asserts that, once the game in Claypole ends, it would be obvious to reset all of the accumulated indicators to allow a next player a chance to play the game. Unlike the gaming device resulting from the combination of Claypole and Vancura, in the gaming device of amended independent Claim 1, each time it is randomly determined not to end the single play of the game, the processor resets the indicators in the award groups associated with the awards provided to the player. In other words, only the award groups associated with awards that were provided to the player are reset, and the play of the game continues. Thus, the same player can continue to play the game without placing an additional wager in an attempt to accumulate enough indicators in the award groups associated with awards that were not already provided to the player in that play of the game.

Accordingly, for at least the reasons discussed above, Applicant respectfully submits that amended independent Claim 1 and the claims depending therefrom are each patentably distinguished over the combination of Claypole and Vancura.

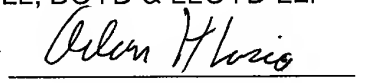
Amended independent Claims 17, 30, and 43 each include certain similar elements to amended independent Claim 1. For reasons similar to those given above with respect to amended independent Claim 1, Applicant respectfully submits that amended independent Claims 17, 30, and 43 and the claims depending therefrom are each patentably distinguished over the combination of Claypole and Vancura.

The Office Action rejected Claims 8,15, 22, 29, 34, 41, 48, and 55 under 35 U.S.C. § 103(a) as being unpatentable over Claypole in view of Vancura, in further view of U.S. Patent Application No. 2003/0036418 to Seelig. Applicant respectfully submits that the patentability of amended independent Claims 1, 17, 30, and 43 renders these rejections moot.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such act is courteously solicited. If the Examiner has any questions regarding this response, Applicant respectfully requests that the Examiner contact the undersigned attorney.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

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